

RE-00000C-14-0112



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ARIZONA CORPORATION COMMIS

UTILITY COMPLAINT FORM

Investigator: Tom Davis

2014 NOV 14 A 11: 53

Priority: Respond Within Five DaysOpinion No. 2014 - 119678Date: 11/14/2014Complaint Description: 19X REST Issues
08A Rate Case Items - OpposedFirst:Last:

ORIGINAL

Complaint By: **Terry** **Finefrock**Account Name: Terry FinefrockStreet:Work: (000) 000-0000City: TucsonState: AZ Zip: 85718is: E-MailUtility Company. **Miscellaneous Electric**Division: ElectricContact Name: UnknownContact Phone: (000) 000-0000Nature of Complaint:

DOCKET# RE-00000C-14-0112

NOV 14 2014

DOCKETED BY

Comments:

I provided comment at ACC-Tucson hearing 11/12/14, referenced the following double-counting lawsuit article by Ceneter for Resource Solutions; appears to be what ACC proposing. Makes no sense to risk litigation and compensatory, punitive damage costs, when REC's can be purchased as they have been but for less than a penny/kWh. [Http://www.green-e.org/news/CRS_NewsFallWinter2014.html](http://www.green-e.org/news/CRS_NewsFallWinter2014.html) A serious case of double-counting in the Northeast A recent petition filed by environmentalists from Vermont Law School claims that the state's largest utility, Green Mountain Power, is double counting renewable energy generated in state by applying it toward statewide renewable energy targets while selling it outside the state and telling customers that they are using renewable energy. At issue is the fundamental understanding of how renewable energy certificates (RECs) convey ownership of the underlying generation. A Green Mountain Power spokesman claimed that "the electrons and the power stays in Vermont. The environmental attributes go elsewhere, and they're claimed by the organizations we sell them to." This, coupled with Green Mountain Power statements about delivering renewable energy to customers, is a direct violation not only of how RECs are tracked, traded, and accounted for in the U.S., but the recent "Guides for the Use of Environmental Marketing Claims" ("Green Guides") released by the U.S. Federal Trade Commission (FTC). The petition, filed in early September by the Environmental and Natural Resources Law Clinic at Vermont Law School, asks the FTC to investigate what they consider deceptive trade practices in the marketing of renewable energy to Vermont ratepayers. Specifically, the petition alleges a violation of Section 5(a) of the Federal Trade Commission Act, cites marketing contrary to the Green Guides, and alleges deceptive trade practices by Green Mountain Power. Green-e Energy does not certify RECs that have already been used to meet a state's delivery-based renewable energy goals, and if a state mandate allows RECs to be sold from generation while still counting the null electricity toward the RPS, those RECs are not eligible for use in a Green-e Energy certified sale. Vermont's Sustainably Priced Energy Enterprise Development (SPEED) feed-in tariff program is presented as a voluntary target, but becomes mandatory if it is not met, and so Green-e disallows use of Vermont RECs where the associated electricity is being used toward the SPEED program. Vermont's SPEED program is a clear example of double counting, with the state counting energy used in-state towards its renewable energy goals and utilities telling ratepayers they are getting renewable energy,

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while the RECs are stripped off and sold elsewhere. In January, the State of Connecticut banned the use of Vermont's double-counted RECs toward its renewable portfolio standard, and in May, NextEra Energy announced that it will no longer trade Vermont RECs. -Lead Staff: Robin Quarrier

End of Complaint

Utilities' Response:

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Investigator's Comments and Disposition:

11/14/14: Entered for the record and docketed CLOSED

End of Comments

Date Completed: 11/14/2014

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